

FILED

MAR 29 3 07 PM '05

CLERK
U.S. DISTRICT COURT
DISTRICT OF DELAWARE

United States District Court

DISTRICT OF

DELAWARE

UNITED STATES OF AMERICA

V.

MACK ANDINO

WAIVER OF RULE 40 HEARINGS
(Excluding Probation Cases)

Case Number: 05-55 M

I, Mack Andino, understand that in the
Eastern District of New York, charges are pending
 alleging violation of Title 18 U.S.C. Sections 286 and 3551 and that I have been
 arrested in this District and taken before a United States Magistrate, who informed me of the charge and of my
 right to:

(1) retain counsel or request the assignment of counsel if I am unable to retain counsel, (2) request transfer of the
 proceedings to this district pursuant to Rule 20, Fed. R. Crim. P., in order to plead guilty, (3) an identity hearing
 to determine if I am the person named in the charge, and (4) a preliminary examination (unless an indictment has
 been returned or an information filed) to determine whether there is probable cause to believe an offense has
 been committed by me, the hearing to be held either in this district or the district of prosecution.

I HEREBY WAIVE (GIVE UP) MY RIGHT TO A(N):

- ☐ identity hearing
☐ preliminary examination
☒ identity hearing and have been informed I have no right to a preliminary examination
☐ identity hearing but request a preliminary examination be held in the prosecuting district

and, therefore, consent to the issuance of an order requiring my appearance in the prosecuting district where the
 charge is pending against me.

Mack Andino

Defendant

3-29-05

Date

Chris [Signature]

Defense Counsel